

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 06-00080-02 SOM
	)	CIV. NO. 13-00178 SOM/KSC
Plaintiff,	)	
	)	AMENDED ORDER FINDING WAIVER
vs.	)	OF ATTORNEY-CLIENT PRIVILEGE
	)	WITH RESPECT TO DEFENDANT'S
RODNEY JOSEPH, JR.,	)	INSTANT MOTION UNDER 28
	)	U.S.C. § 2255 TO VACATE, SET
Defendant.	)	ASIDE, OR CORRECT SENTENCE
_____	)	

AMENDED ORDER FINDING WAIVER OF ATTORNEY-CLIENT  
PRIVILEGE WITH RESPECT TO DEFENDANT'S INSTANT MOTION UNDER  
28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT SENTENCE

On May 23, 2013, the court filed an Order Finding Waiver of Attorney-Client Privilege with Respect to Defendant's Instant Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence. The order, which was submitted as a proposed order by the Government, is amended to correct the word "ineffectively" to "effectively" in the first paragraph. The rest of the order remains unchanged. Below is the entire order showing the incorrect word with a line through it and the correct word underlined:

Above-named Defendant has filed on April 15, 2013, in the above-referenced case, his motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence. Defendant has lodged in his motion a claim that Reginald Minn, Esq., Defendant's retained counsel for pretrial, trial and appellate proceedings was "ineffective" for allegedly failing to ~~ineffectively~~ effectively raise an objection or appeal of the District Court's imposition of the mandatory minimum sentence of life.

The United States has moved this Court to issue an Order which finds that as a matter of law, Defendant has waived attorney-client privilege.

Good cause appearing therefor, it is hereby ordered that the above-named Defendant has waived the attorney-client privilege with respect former counsel Reginald Minn, Esq. concerning all matters associated with Defendant's allegations in his motion to vacate, set aside, or correct sentence.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, July 8, 2013.



/s/ Susan Oki Mollway  
Susan Oki Mollway  
Chief United States District Judge

United States v. Rodney Joseph, Jr., CR. NO. 06-00080-02 SOM,  
CIV. NO. 13-00178 SOM/KSC, AMENDED ORDER FINDING WAIVER OF  
ATTORNEY-CLIENT PRIVILEGE WITH RESPECT TO DEFENDANT'S INSTANT  
MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT  
SENTENCE